

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

December 4, 2014

5:30 P.M.

MINUTES

Present: Mayor James Calnon, Councilors Rachelle Armstrong (W1), Mike Kelly (W2), Dale Dowdle (W3), Paul O'Connell (W4), Becky Kasper (W5), Joshua Kretser (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on November 20, 2014 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Kasper; Seconded by Councilor Armstrong

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the weeks ending November 26, 2014 in the amount of \$ 344,061.17 and December 3, 2014 in the amount of \$ 325,188.31 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kretser; Seconded by Councilor Kasper

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the weeks of November 6 – December 3, 2014
- Report from the Building Inspector's office December 1, 2014
- Report from Mayor Calnon on the Board of Ethics

RESOLVED: That the reports as listed are hereby ordered received and placed on file among the public records of the City Clerk's Office.

Councilor Dowdle asked questions about the Report from the Building Inspector's office.

By Councilor O'Connell; Seconded by Councilor Kretser

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the weeks ending November 28, 2014 in the amount of \$ 1,407,568.06 and December 5, 2014 in the amount of \$ 288,494.31 are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Armstrong; Seconded by Councilor Dowdle
Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Rabbi Rimler spoke regarding the Chabad Center in Plattsburgh, Hanukkah and his request to display a Menorah in Trinity Park.

Andrew Golt 17 Couch Steet spoke about Upper Cornelia Street walkability and in the winter it is impassable. Spoke about 15 Couch Street and wants the City to take charge.

Bob Dolan Wall Street thanked the council for considering renaming Bridge Street bridge to Veterans Bridge.

Lanny LaValley thanked the Council for their support and said it was an honor to have served this country as they all feel and the acknowledgement of that is deeply appreciated.

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves scheduling Committee on Open Government Training on January 15, 2015.

By Councilor Kasper; Seconded by Councilor Kretser
Discussion:

Councilor Kasper offered her heartfelt apology to the public for her error in not fully conforming to the spirit of the open meeting laws.

Councilor Kretser offered a public apology to the residents of the City of Plattsburgh. He apologized for not complying with the spirit of the open meetings law.

Councilor Armstrong read and submitted attached statement in to the minutes.

Councilor Dowdle asked if we were going to speak personnel shouldn't we go in to executive session.

Mayor Calnon said you can make a motion to go in to executive session.

Councilor Armstrong said she would end there.

Councilor Kelly spoke about the recent Press Republican editorial and said he apologized for violating the spirit of the open meetings law and I hope you'll accept my heartfelt apology, members of the public.

Councilor Dowdle asked the Council next time they used private emails to conduct city business that they include him and he further spoke about his feelings on the situation and mentioned a specific third party involved.

Mayor Calnon indicated the resolution is about bringing training here. One of the things we've talked about is using executive session when we are going to talk about the work or qualifications for appointment for any employee or appointee. It makes me uncomfortable when we start to talk about individual's behavior that are a little bit outside that. And asking questions about what some third party said it makes me very uncomfortable.

Councilor Dowdle said I would suspect those would be in forthcoming emails that will be turned over to the City Clerk.

Mayor Calnon said we will definitely have to see how that goes.

Councilor O'Connell asked if we could get back to this resolution. I would like to recommend doing it on January 15, 2015 like we talked about and offer it out to everybody else.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(Councilors Armstrong, Kelly, O'Connell, Kasper and Kretser voted in the affirmative. Councilor Dowdle voted in the negative)

ACTION TAKEN: Adopted

Follow up Action: None

B. Whereas, the City of Plattsburgh Common Council recognizes and honors the dedication and sacrifices of the many men and women of this community who have served in the armed forces, **be it resolved,** that the bridge spanning the Saranac River in downtown Plattsburgh, otherwise known as Bridge Street Bridge, is hereby re-named "Veterans' Bridge."

By Councilor Kasper; Seconded by Councilor Kelly
Discussion:

Councilor O'Connell thanked Lanny LaValley and all the veterans

Councilor Kasper thanked Lanny LaValley and all the veterans

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to revise the 2014 General Fund budget with a combined transfer of \$13,116 from the Assessment Regular Payroll line and the NY State Retirement line to the Assessment Contract Services line to provide for unbudgeted Article 7 legal costs needed for property tax grievances for various properties within the City.

By Councilor Kasper; Seconded by Councilor Dowdle

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. SEQR FINDINGS ON LOCAL LAW P-3 OF 2014: AMENDING AND RESTATING IN ITS ENTIRETY CHAPTER 270, SECTION 26 OF THE CITY CODE

The Common Council determines that Local Law P-3 of 2014 is an Unlisted Action and has reviewed the Short Form EAF and hereby finds the adoption of Local Law P-3 will not have any significant adverse environmental impacts.

By Councilor Kelly; Seconded by Councilor Kretser

Discussion:

Mayor Calnon read and explained SEQR form.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. ADOPTION OF LOCAL LAW P-3 OF 2014

RESOLVED: Local Law P-3 of 2014 amending and restating in its entirety Chapter 270, Section 26 of the City Code of the City of Plattsburgh. The entire text of which has been distributed to and read by the members of the Common Council, is hereby enacted without the reading thereof and a copy of said local law is made part of the minutes of this meeting.

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves a request from Rabbi Avrohom Rimler to have a holiday display on City Hall grounds.

By Councilor Kasper; Seconded by Councilor Dowdle

Discussion:

Councilor Kasper offered a replacement resolution:

The Common Council approves a public forum be made available commencing December 8th for a period of 30 days at Trinity Park providing free, equal and unrestricted access for holiday displays. The maximum size is 10 x 10 and request filed with the City Clerk's office.

[Discussion ensued with entire council]

By Councilor Kasper; Seconded by Councilor Kretser

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves the Superintendent of Recreation to spend \$1,000 to advertise for the Promotions and Special Events Coordinator position.

By Councilor Kretser; Seconded by Councilor O'Connell

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from Councilor O'Connell to rename South Platt Little League Field to Gerald Burdo Field.

2. Request from the City Chamberlain to transfer \$5,000 from Finance Contract Services to

Capital Fund Transfers within the 2014 General Fund Budget to provide for asbestos inspection and analysis costs for the City's property at 40 Bridge Street.

3. Request from the City Chamberlain to revise capital project H5110.47 40 Bridge Street Remediation to provide for asbestos inspection and analysis costs for the building on this City property.

10. NEW BUSINESS:

Councilor Kasper spoke about increased warming in Artic, mitigating climate changes in City of Plattsburgh, preserving environment.

Mayor Calnon asked if we would be looking at code changes

Councilor Kasper said she didn't know yet.

Mayor Calnon agrees with effort, likes methodology.

Councilor Kelly announced he will be holding a Ward 2 Forum on Wednesday, December 10th at 7pm in the Community Room of City Hall.

11. CLOSING PUBLIC COMMENTS:

Bruce Lawson 4 Pt. View Terrace read and submitted attached statement in to the minutes.

Motion to Adjourn by Councilor O'Connell; Seconded by Councilor Armstrong
Roll call Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

MEETING ADJOURNED: 6:20pm

This business of serving the public is hard work—complicated work. I absolutely have no doubt that the Council and the Mayor try to do our utmost for the betterment of this community. I have felt inspired by our work on the Council, and have sought to do right by the public in everything I've done.

The lessons of this week have humbled me. I was trying to do right in issuing the press release last week. But I learned that it's not enough to try to do what's right—it is also important to act wisely. That takes extra time and consideration of all possible outcomes, intended and unintended. In rushing to action, I made a mistake, and I have been charged with violating the spirit of the open meeting law. I take full responsibility for this error. My highest goal has been to restore the public's faith in government; I will learn from this mistake in order to fully achieve this goal.

My deepest regret is that my ideas about the future of the Community Development Office were interpreted as criticism of Bruce Lawson's performance as interim Director. Though this was never, never, my intention, anticipating this possible consequence should have led me to exercise sensitivity in furthering my ideas. Bruce is a man of many talents who has been a dedicated and energetic advocate for our City. He deserves our thanks for taking the first important steps of reopening the CD Office.

*Councilor Armstrong Read and Submitted
into minutes 12/04/14.*

Last spring, I was honored when Mayor Calnon asked me to help re-build the Office of Community Development. I respect what the Mayor is trying to accomplish and I want to see good things happen to the City of Plattsburgh, so I said "YES", with one condition. I told him that I could only have one supervisor, not seven. He assured me I would report to him... only.

Since I started, I have thrown my time and energy into the job. I've met with almost all appropriate State and Federal Agencies, almost every not-for-profit, with grant specialists, business leaders and small business owners. I've represented the city at dozens of meetings, including at the Plattsburgh Downtown Association at 730 in the morning...and remember that this is a part-time position.

On my own initiative, I met with leaders of Burlington's Office of Community Development and the Director of their municipal marina operations in order to help US develop OUR marina. I again traveled to Burlington...this time with Jessica Dulle, Executive Director of the Strand, in order to meet with the people who run The Flynn Theatre...because I think we all believe The Strand is critical to community development.

And I've consulted with anyone and everyone who awards grants, administers grants, and writes grant proposals. I attended the NY State workshops at Clinton Community College on the Consolidated Funding Application process. As you should know, almost all NY State grants are now awarded through the CFA process, and this happens once a year. Thanks to the Mayor, Kevin Farrington and grant specialist Amy Bonn, we submitted grant applications last June, just a few weeks after I started. We may find out next week if we were successful, and I hope we are. Either way, we are preparing NOW for the next round, to be submitted in June of 2015. However, we also have other grant applications in the works for such things as repairing City Hall and providing access to historic Fort Brown.

At the Mayor's request, I documented all this activity in a report for City Councilors several weeks ago. I sent this out to you prior to the budget meetings. In this report I repeated exactly what the Mayor had asked me to do, and what I had done to meet his expectations. He recently sent me, in a note that was also sent to all Councilors..."I hired Bruce Lawson to meet

Bruce Lawson
Read and submitted into minutes
12/04/14

three goals; he not only has met them, he has exceeded them substantially”.

So imagine my surprise to see my name in a Press Release, issued by four councilors, in which they demand the Mayor do a search for a new Director of Community Development. Their message could not have been clearer. Somebody else - or is it anybody else - would be better.

I am a city employee. This is a sensitive personnel issue to me. This is why City Council meetings sometimes go into Executive Session. The City has policies and procedures to protect city employees.

If you have a problem with the way in which the Mayor is directing an employee, then your option is to meet with him and express your opinion. To disparage an employee publicly is inappropriate.

I WAS honored when the Mayor asked me to work on behalf of the city. I'd like to keep that feeling, but I won't kid you, that's difficult to do right now.

I ask you to be more thoughtful with respect to city employees in the future.